

MEMORANDUM

TO: Mayor Craig Brown and Members of Council

CC: City Manager Office, Executive Leadership Team, City Attorney Office

FROM: Sally Bakko, Director of Policy and Governmental Relations

DATE: August 5, 2022

RE: Legislative Report: Austin and Washington Updates

Please find below updates on legislative activities in Austin and Washington. (*To access links below, control+click on link.*)

Gulf Coast Protection District (GCPD) Update

The [Gulf Coast Protection District](#) will at 10:00 am on Wednesday, August 10, 2022. The meeting will be held at the Bay Area Community Center, 5002 E. NASA Parkway in Seabrook ([view agenda](#)). However, you may also watch and listen to the meeting via the live broadcast ([view live stream](#)).

San Jacinto Region 6 Regional Flood Planning Group Update

The [San Jacinto Region 6 Regional Flood Planning Group](#) will meet 9:00 am – 12:00 pm on Thursday, August 11th ([view agenda](#)). I will be joined by GCPD Executive Director Nicole Sunstrum to give a presentation to the group about GCPD's purpose, jurisdiction and status of projects. Region 6 RFPG meetings will continue to be hybrid, so if you would like to participate online, please register at: <https://bit.ly/3zo6ArX> for login information.

Austin Update

Texas Comptroller Announces Record Sales Tax Revenue Collections in July

This week, Texas Comptroller Glenn Hegar announced state sales tax revenue totaled \$3.88 billion in July, 14.7 percent more than in July 2021, and the highest monthly collections on record. Total sales tax revenue for the three months ending in July 2022 was up 13.1 percent compared with the same period a year ago. Sales tax is the largest source of state funding for the state budget, accounting for 59 percent of all tax collections. Hotel Occupancy Tax revenues reached \$73 million for July, up 22 percent from July 2021. For information, see the [Comptroller's Press Release](#).

Texas Water Development Board – Infrastructure Investment and Jobs Act 2022 (IIJA) – Frequently Asked Questions on Funding Received in Texas For Water

TWDB has prepared [Frequently Asked Questions \(FAQs\)](#) intended to answer some of the questions but is limited to the IIJA funds flowing through the US Environmental Protection Agency (EPA) to the state's existing State Revolving Funds (SRFs) for water and wastewater infrastructure.

TEA Releases 2021–2022 School FIRST Ratings for School Districts

The Texas Education Agency (TEA) released school districts' 2021–2022 School Financial Integrity Rating System of Texas (FIRST) rating based on financial indicators per [19 Texas Administrative Code \(TAC\) §109.1001\(e\)\(6\)](#). Galveston ISD received a Rating A=Superior Achievement and a District Score of 98 (see [Galveston ISD status detail](#)). The state's FIRST system, ensures that Texas public schools are held accountable for the quality of their financial management practices and that they improve these practices. A school district's 2021–2022 School FIRST rating is based upon an analysis of financial data for fiscal year 2021 (i.e., the fiscal period ended June 30, 2021, or August 31, 2021, depending upon the ending date of the school district's fiscal year).

Texas Legislature – Interim Charge Committee Hearings

Texas House Committee on Homeland Security & Public Safety on August 8th

The Committee will meet jointly with the Select Committee on Youth Health & Safety, with invited testimony only, to consider the following joint charges on Mass Violence Prevention and Community Safety:

- Examine the role of online communications in mass violence scenarios and identify technological resources and solutions for detecting, mitigating, and reporting threats.
- Study the needs of the state related to mental health professionals, educators, school administrators, and related professionals overseeing youth mental health programs and the delivery of those mental health services.

Texas House Committee on Pensions, Investments, and Financial Services on August 16th

The committee will meet at 11:00 am on Tuesday, August 16th, to hear invited and public testimony on the following interim charge of interest to Galveston:

- Review the Texas Local Fire Fighters Retirement Act (TLFFRA) to ensure proper governance and financial oversight. Examine whether the Pension Review Board has proper oversight and authority to implement necessary corrective measures.

Committee Chairman Rafael Anchia has invited Galveston Deputy City Manager Dan Buckley to testify on: 1) implementation of the requirement that a pension governing body and its associated governmental entity work jointly to develop and adopt a written funding policy; and 2) present the City's suggestions on "best practices" to improve the sustainability and financial soundness of local pension plans.

Texas House Committee on Natural Resources Hearing on August 23rd

The Committee will meet at 10:00 am on Tuesday, August 23rd, in Austin to hear invited and public testimony on the following charge:

- Monitor the implementation of SB 1160, relating to the creation of the Gulf Coast Protection District, and explore ways in which the state can further support the construction of a coastal barrier system.
- Review the adequacy and efficiency of current mechanisms used to compensate water right holders when the Texas Commission on Environmental Quality temporarily transfers a water right under an emergency authorization. Make appropriate recommendations for the protection of private property rights of water right holders.

Texas House Committee on Natural Resources Hearing on August 24th

The Committee will meet at 10:00 am on Wednesday, August 24th, in Austin to hear invited and public testimony on the following charge:

- Examine the condition of Texas' water and flood mitigation infrastructure capabilities and consider future infrastructure needs. Evaluate sustainable funding sources to provide for water project development and infrastructure repair and replacement. Examine and recommend cost-effective improvements that enhance the state's available water supply.
- Examine the state's groundwater management policy and regulatory framework. Include a review of large-scale water transfers and their impact on groundwater resources. Make appropriate recommendations for legislation or state agency action to:
 - provide adequate transparency to the permit application process;
 - further the state's groundwater quality protection efforts, including an assessment of risks posed to groundwater by abandoned and deteriorated water wells and orphan oil and gas wells; and
 - promote conservation and waste prevention.

House Committee on Pensions, Investments, and Financial Services on August 25th

The Committee will meet on Thursday, August 25 at 11:00 a.m. to hear invited and public testimony on the following interim charge:

- Review the impact of investments by public retirement systems of their endowment and other trust funds in businesses and funds owned or controlled by the Russian government or Russian nationals, and determine the need for investment restrictions. Consider the impact of any proposed investment restrictions on fund performance.

Washington Update

Senate Passes Cornyn Bill, S. 4003, Law Enforcement De-Escalation Training Act of 2022

This week the Senate passed S. 4003, sponsored by Senator John Cornyn with a bipartisan group of twenty-one (21) cosponsors, to equip law enforcement officers with tools to effectively and safely respond to people experiencing a mental health crisis, including using alternatives to force and de-escalation tactics and working with mental health professionals on crisis intervention teams. The bipartisan Law Enforcement De-escalation Training Act:

1. Requires the Department of Justice's Office of Community Oriented Policing Services to develop curricula in the training topics, or identify existing curricula, in consultation with law enforcement, mental health organizations, family advocacy organizations, and civil rights and civil liberties groups, among other stakeholders;
2. Authorizes \$124 million in grant funding over four years for training, including scenario-based exercises and evaluative assessments; and
3. Requires the National Institute of Justice and the Government Accountability Office to evaluate the implementation of the program and the effect of the training, to ensure that the curricula have a tangible impact on law enforcement encounters with people in crisis, and identify possible changes that would further improve outcomes.

The bill proceeds to House for consideration. While no companion House bill has been filed, I will continue to monitor further action on S. 4003.

Senate Committee OKs HR 3709, Preliminary Damage Assessment Improvement Act of 2021

The Senate Committee on Homeland Security and Governmental Affairs favorably reported HR 3709, the Preliminary Damage Assessment Improvement Act of 2021. State, tribal, territorial, and local representatives are responsible for conducting preliminary damage assessments (PDA) with assistance from Federal Emergency Management Agency (FEMA) officials to validate damages ahead of a governor's or chief executive's request submittal to the President for FEMA assistance. FEMA uses PDA findings following a hazard

event to determine the extent of damage and any unmet needs of individuals and households, businesses, and the public sector in an affected community or area. PDA findings are used when determining whether damages are of a significant magnitude to warrant a disaster declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (P.L. 93–288 as amended). The bill is responding to reports of discrepancies across the ten FEMA regions regarding the inconsistency of information, data, and FEMA staffing involved in the PDA process. The bill directs FEMA to: 1) convene an advisory panel to examine the PDA process, as carried out by FEMA in the five years before the bill's enactment; 2) establish a consistent training program for FEMA personnel to effectively and uniformly support these assessments; and 3) provide a report to Congress regarding the findings of the panel and steps that will need to be taken to reform the joint PDA process. The House passed the bill in November 2021. The bill moves to the floor for full Senate.

NOAA High Tide Flooding Update: Coastal Flooding on the Increase – Galveston could flood 210 days of the year by 2050

The National Oceanic and Atmospheric Administration (NOAA) [released a report](#) with data showing increased number of days with High Tide Flooding for many coastal cities in the US. See [press release](#) and for more information see the [2022 Sea Level Rise Technical Report](#). High tides could flood Galveston streets as many as 210 days a year by 2050, compared with as many as 17 days in 2022, according to updated NOAA predictions released this week. In addition to sea level rise, NOAA also identifies Galveston's high number of high tide flooding days as nearly the worst of any coastal area in the country because of the region's land subsidence (land that's sinking in addition to sea levels rising).

NLC / US Conference of Mayors Sponsor “Local Infrastructure Hub” Information Website

The National League of Cities, US Conference of Mayors and other groups are sponsoring The [Local Infrastructure Hub](#), a website designed to help city officials navigate the funding programs made available through the federal Infrastructure Investment and Jobs Act (IIJA). IIJA is the \$1.2 trillion bill signed into law in November 2021 that will invest in infrastructure priorities including roads, bridges, rail, transit, airports, ports, energy transmission, water systems, and broadband. The website allows users to sign up for the mailing list, attend virtual learning events, and access articles and other resources on some of the key IIJA funding opportunities.

Reports of Interest

[Louisiana Insurance Guaranty Association Tabs Verisk for Streamline Claims Handling](#)

Insurance Journal, August 4, 2022

[Florida Property Insurance Is Growing Issue in Governor's Race](#)

Roll Call, August 4, 2022

[Earmarks in Senate bills favor small states, retiring senators](#)

FiscalNote | CQ Roll Call, August 1, 2022

[Cyber Strength: Aligning Transit Agencies And Vendors In The Face Of Increasing Cyber Risk](#)

Mineta Transportation Institute

[Cyber Attacks Against Critical Infrastructure Quietly Increase](#)

Government Technology